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Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

LAYFIELD & BARRETT, APC,

Debtor.

Case No.: 2:17-bk-19548-NB

Chapter 7

**CHAPTER 7 TRUSTEE'S FOURTH
STATUS REPORT**

Date: February 20, 2024

Time: 11:00 a.m.

Place: United States Bankruptcy Court
Edward R. Roybal Federal Building
255 E. Temple Street
Courtroom 1545
Los Angeles, California

Judge: Honorable Neil W. Bason

Richard M. Pachulski, the duly appointed chapter 7 trustee (the "Trustee") in the above-captioned bankruptcy case (the "Case") of Layfield & Barrett, APC (the "Debtor"), hereby files a brief report regarding the status of the Case, as ordered by the Court in connection with the prior status conference on December 5, 2023, and states as follows:

1. The Trustee hereby incorporates by this reference the Case background, defined terms and other information set forth in the *Chapter 7 Trustee's First Status Report* [Docket No. 628], filed on March 21, 2023, the *Chapter 7 Trustee's Second Status Report* [Docket No. 642], filed on July 25, 2023, and the *Chapter 7 Trustee's Third Status Report* [Docket No. 658], filed on November 21, 2023 (the "Third Status Report").

2. The activity in the Case since the submission of the Third Status Report has been the filing of *Allegretti & Company's Motion for Relief of Order Approving Trustee's Sale of Real*

1 *Property Entered April 5, 2019 [Doc 428] [Docket No. 660](the “Reconsideration Motion”), filed*
2 *by Allegretti & Company (“Allegretti”), which, in 2019, purchased two units (“Units 210 and 220”)*
3 *in an office condominium located at 2720 Homestead Road, Park City, Utah 84098 (the “Property”),*
4 *in which the Debtor’s bankruptcy estate held an interest. Pursuant to the Reconsideration Motion,*
5 *Allegretti requests that the Court now -- some 4 ½ years after the sale of Units 210 and 220 – include*
6 *certain parking stalls in the April 5, 2019, order approving the transaction. The Trustee intends to*
7 *oppose the Reconsideration Motion because, among other grounds, in contrast to the Court-approved*
8 *purchase of another unit (Unit 200) at the Property two months prior to the Units 210 and 220*
9 *transaction which identified and included specific parking stalls as part of the Unit 200 purchase,*
10 *neither (a) the purchase and sale agreement between the Trustee and Allegretti, (b) the motion to*
11 *approve sale of Units 210 and 220 to Allegretti, nor (c) the Court’s order authorizing the Units 210*
12 *and 220 sale to Allegretti, makes any mention of parking stalls being part of the transaction. The*
13 *Court has scheduled a hearing regarding the Reconsideration Motion on March 5, 2024.*

14 3. As noted in the Third Status Report, the Trustee has prepared a draft *Trustee’s Final*
15 *Report* in the Case (the “Final Report”). Trustee’s counsel has secured the services of an accountant
16 to prepare the estate’s final tax returns and obtain tax clearance so that the Final Report may be
17 submitted. It is estimated that the final returns will be completed and the tax clearance letter
18 submitted to taxing authorities within the next two weeks, and that tax clearance should be obtained
19 prior to May 1, 2024.

20 4. Accordingly, the Trustee respectfully requests that the Court continue the status
21 conference in this Case to a date and time convenient to the Court during or after May 2024.

22
23 Dated: February 6, 2024

PACHULSKI STANG ZIEHL & JONES LLP

24
25 By: /s/ Malhar S. Pagay
Malhar S. Pagay

26 Attorneys for
27 Richard M. Pachulski, Chapter 7 Trustee
28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

10100 Santa Monica Boulevard, Suite 1300, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled: **CHAPTER 7 TRUSTE'S FOURTH STATUS REPORT** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* February 6, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:



Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* February 6, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Philip James Layfield
Register No. 71408-050
USP Tucson
U.S. Penitentiary Satellite Camp
P.O. Box 24549
Tucson, AZ 85734



Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.



Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 6, 2023 Sophia Lee
Date *Printed Name*

/s/ Sophia Lee
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

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